

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KARL J. DAVIS,

Petitioner,

V.

JOHN GAY, *et al.*,

Respondents.

Case No. C08-5333 RBL/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, [Dkt. #26], and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
 - (2) Petitioner's writ of habeas corpus (Dkt. # 4) is **Dismissed with Prejudice**; and
 - (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent and to the Hon. Karen L. Strombom.

DATED this 23rd day of December, 2008.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

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